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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PARK, ILWOO

ART UNIT	PAPER NUMBER
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2182

18

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/834,167

Applicant(s)

KAVANAUGH ET AL.

Examiner

Ilwoo Park

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/19/2003 has been entered.
2. Claims 1-40 are canceled and claims 41-56 are added. The following rejections now apply.
3. Claims 41-56 are presented for examination.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 41, 43, 45-48, 51-53, and 56 are rejected under 35 U.S.C. 102(b) as being anticipated by May, US patent No. 5,043,721.

As to claim 41, May teaches a wallet [portable computing device 12: col. 1, lines 5-16] for use with a personal information device [paging accessory 10], the wallet comprising:

a first portion having an input device [keyboard 18 in fig. 1];

a second portion coupled to the first portion to receive, detachably retain, and interface with a personal information device [col. 2, lines 35-43]; and

a power source to provide electricity to the wallet, wherein the wallet conserves the power source by being turned on in response to a wake signal [col. 3, lines 62-68] from the personal information device.

6. As to claim 43, May teaches the personal information device comprises a personal digital assistant [col. 2, lines 58-66].

7. As to claim 45, May teaches the wallet turns off if it does not receive a stay awake signal from the wallet for a predetermined period of time [col. 3, lines 23-28].

8. As to claims 46, 51, and 56, May teaches the power source comprises a battery [battery 65 in fig. 3].

9. As to claims 47 and 52, May teaches a method performed by a wallet [portable computing device 12: col. 1, lines 5-16] having a power source [fig. 3] and detachably retaining a personal information device [col. 2, lines 35-43], the method comprising:

receiving [col. 3, lines 62-68] a wake signal from the personal information device;
and

turning [col. 2, lines 1-13] the wallet on in response to the wake signal by providing electricity to wallet components from the power source.

10. As to claims 48 and 53, May teaches turning the wallet off in response not receiving a stay awake signal from the personal information device for a predetermined period of time by powering down the wallet components [col. 3, lines 23-28].

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 42, 50, and 55 rejected under 35 U.S.C. 103(a) as being unpatentable over May as applied to claims 41, 47, and 52 above, and further in view of Steere, Jr. et al., US patent No. 5,848,298.

As to claims 42, 50, and 55, May teaches the personal information device comprises a card [col. 2, lines 35-43]. However, May does not teach the card is in a form of a PCMCIA card.

Steere, Jr. et al teach [figs. 7-9; col. 1, lines 23-37] a wallet for use with a personal information device in a form of a PCMCIA card detachably retained in a second portion of the wallet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Steere, Jr. et al's teaching of the personal information device being in a form of a PCMCIA card to increase adaptability of the plug-in card of May.

13. Claims 44, 49, and 54 rejected under 35 U.S.C. 103(a) as being unpatentable over May as applied to claims 41, 47, and 52 above, and further in view of Ohtake et al., US patent No. 5,594,680.

As to claims 44, 49, and 54, May teaches the personal information device in a form of a plug-in card is connected to the wallet [host] to communicate signals including the wake signal from the personal information device to the wallet. However, May does not teach using an induction coil adapted to interface without electrical contact.

Ohtake et al teach a plug-in card is detachably connected to a host to communicate signals from the plug-in card to the host using an induction coil adapted to interface without electrical contact [col. 8, lines 1-5].

Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify a connector [connector 16] of May into the Ohtake's teaching of an induction coil for communication without electrical contact in order to increase reliability of May's communication with the personal information device detachably connected.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ilwoo Park whose telephone number is (703) 308-7811. The examiner can normally be reached on Monday through Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, 4th Floor (Receptionist).



Ilwoo Park

Primary Examiner

October 27, 2003